



February 4, 2005

VIA FACSIMILE & REGULAR MAIL

Jess Green, Esq.
Green Law Firm, P.C.
301 East Main Street
Ada, OK 74820
Fax: (580) 332-5180

Re: Agreement between Miami Tribe of Oklahoma Business Development
Authority and the Western Delaware Tribe, dated June 15, 2004

Dear Mr. Green:

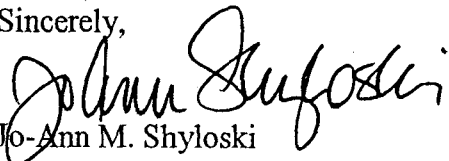
By correspondence dated January 10, 2005, Laine Coolidge, General Manager of the Gold River Casino, advised the Office of General Counsel of the NIGC that you have been retained to represent the Western Delaware Tribe regarding the above-referenced matter.

By letter dated November 3, 2004¹, we informed the Tribe and the Miami Tribe of Oklahoma Business Development Authority (Miami BDA) of our concern that the agreement between them, dated June 15, 2004, evidences a proprietary interest by the Miami BDA in the Tribe's gaming activity. Moreover, we conveyed that such a proprietary interest would be contrary to IGRA, NIGC regulations, and the Western Delaware Tribe's gaming ordinance. *See* 25 U.S.C. § 2710 (b)(2)(A); 25 C.F.R. § 522.4(b)(1); Gaming Ordinance of the Delaware Tribe of Western Oklahoma (July 14, 1995) § 3.1.

In light of this concern, in such letter, we requested that the parties provide us with a written justification for the fee obtained by the Miami BDA pursuant to this agreement. Please advise us when such written justification will be forthcoming from the Tribe. If you have any questions, please don't hesitate to contact me at (202) 632-7003.

¹ A copy of the November 3 letter is attached hereto for your reference.

Sincerely,


Jo-Ann M. Shyloski
Staff Attorney

Attachment

cc via fax & regular mail:

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